

## REGION 6 EXECUTIVE SUMMARY

TOPIC: Explo Systems Site Status

DATE: November 7, 2013

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PURPOSE/ACTION NEEDED: For Information / Background

DEADLINE DATE: Dec. 31, 2013

**BACKGROUND:** On October 15, 2012, the explosion of a magazine at Explo Systems, Camp Minden, LA, prompted attention from the US Environmental Protection Agency (EPA), the Bureau of Alcohol, Tobacco, Firearms and Explosives, (ATF), and Louisiana State Police (LSP). On November 27, 2012, the LSP served a warrant to Explo and identified 10 million lbs. of unsecured M6 Propellant. The EPA Criminal Investigations Division (CID) initiated an on-site investigation on January 25, 2013. The Explo Site consists of 132 acres, is owned by the State of Louisiana and operated by the Louisiana Military Department and is the former Louisiana Army Ammunitions Plant. On February 5, 2013, the Louisiana Military Department, in coordination with the Governor's Office, requested transportation and storage of the M6 Propellant by the Secretary of the Defense (US Army). On March 12, 2013, the US Army denied the Louisiana Military Department's request citing inadequate authority, resources, and statutory limitations. The US Army continues to offer technical support. Based on recommendations from the US Army Explosives Safety Board (ESB), Explo employees secured the remaining unsecured M6 Propellant and 130,000 lbs. of Tritonal into magazines at Camp Minden. A report issued by the ESB listed stability concerns associated with long-term storage and recommended disposal of the explosives by open burn/open detonation. The ESB also indicated the likelihood of a magazine explosion will increase within the next two years due to instability concerns associated with the material. On September 6, 2013, the Louisiana Governor declared the Site a state of emergency.

**CURRENT STATUS:** A total of 98 magazines at Camp Minden are filled to capacity with approximately 18 million lbs. of M6 Propellant and other explosive materials. In addition to the 18 million lbs. of explosives stored at Camp Minden, Explo currently owns 3 million lbs. of M6 Propellant stored at Highland Industrial Park in Camden, Arkansas. These magazines are rented by Austin Powder Company. On August 12, 2013, Explo filed for Chapter 11 Bankruptcy and on August 28, 2013, the EPA Region 6 referred this case to the Department of Justice for the filing of a proof of claim. On September 30, 2013, the Bankruptcy Court transferred title and ownership of the M6 Propellant and other explosives stored at Camp Minden, to the Louisiana Military Department. Commencing in mid-August through October 2013, the EPA notified the potentially responsible parties (PRPs) (i.e., Explo Systems, Louisiana Military Department, US Army, Alliant Techsystems, Inc., and General Dynamics) of their potential liability and offered to negotiate administrative orders for the removal work needed at the Site.

**NEXT STEPS:** Based upon the threat of another explosion and potential harm to human health and the environment, the EPA's goal is to negotiate AOCs and secure the PRP's signatures to perform work by November 20, 2013. Should the US Army decline to participate in negotiations offered under CERCLA, the Agency may use other available enforcement authorities under its various statutes. The EPA continues to participate in the Explo bankruptcy proceedings, and hearings which are set for November 12, and 18, 2013, concerning the sale of equipment and M6 Propellant.

**RESOLUTIONS:** The goal is to have removal work plans approved by December 31, 2013, and start the cleanup by January 1, 2014.



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